

EXHIBIT

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KPF

Memorandum

To: John McCullough, TDX
From: Christopher Stoddard
Date: 12/20/98
Re: Baruch College - Site B
 KPF Job #1063.01
 Contract #15- GC 1
 Masonry Punched window Performance Mock-up

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This is in reference to the punched window performance mock-up pre-testing which took place at Construction Research Laboratory in Miami on December 17, 1998. Two rounds of static pressure air infiltration and static water infiltration pre-testing were performed on the masonry punched window specimen.

Results of the first round displayed water leakage at the punched window interface with block, and excessive air and water leakage at the masonry wall locations. In accordance with standard test procedures the test chamber and the seal between the masonry wall and test chamber were then checked for leaks and the window flashing interface was resealed.

The second round of pre-testing displayed similar results as the first. There was water leakage at the punched window interface with block, and excessive air and water leakage at the masonry. This leakage occurred primarily at the masonry corner, the shelf angle and control joint.

LBI Skysystems agreed to modify their window interface details with the brick to address water leakage.

In conversation with testing lab personnel present during masonry installation, it appears excessive leakage at the masonry may be attributed to improper installation and sealing of the masonry block wall. Upon visual review of the mock-up it appears the thru-wall component flashing approved for the project was not properly installed. The flashing is not visible at the horizontal control joint. Failures may also be due to insufficient adhesion of the air barrier to the block and insufficient sealing around wall ties.

KPF is very concerned with this issue due to the fact that the brick cavity wall is currently under construction on the project. KPF recommends that on the project TDX and Testwell Craig confirm that the approved air barrier is installed as per the manufacturer's recommended procedures, and that full contact adhesion of the air barrier to block is achieved. It is critical that all penetrations at wall ties be adequately sealed, especially at the corner "box" tie locations. In addition we would expect the owner's controlled inspector, Testwell Craig, is inspecting all masonry components and confirming they are being installed as per the construction documents. If these procedures are not followed properly, long term air and water infiltration may occur.

CC: N. D'Ambrosio, R. Leu, A. Mosellie, L. Sigal
 C. File, File 4.B

TOTAL P.02

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Memorandum

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June 7, 1999

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Punched Window Mock-Up

Copies M

N. D'Ambrosio, R. Leu, M. Synder, J. Berrera, A. Mosellie, M. Marcolini, File
4.8 C. File

KPF

This is in reference to the punched window mock-up testing which took place at CRL in Miami, Florida on June 1, 1990.

Last February, the mock-up experienced sealing failures during interstory and lateral movement tests, as documented by Gordon H. Smith Corporation on February 19, 1999. Dow Corning was consulted and the sealant was remediated as per their recommendations.

After retesting last week similar sealant failures occurred during interstory and lateral movement tests. Dow Corning was consulted at the mock-up and stated the failures were not acceptable. It was agreed by TDX, LBL, GHSC, KPF and Dow Corning that a small mock-up consisting of stainless steel flashing, painted aluminum with a horizontal control joint with sealant be erected in LBL's testing laboratory. KPF stated that all proposed surface preparation techniques must accommodate the existing field conditions of stainless steel flashing installed on the project. The typical horizontal control joint size with stainless steel flashing is 5/8" on the project. The testing of the specimen would be witnessed by representatives of LBL, Dow Corning, KPF and TDX.